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6 Attorneys for Plaintiffs Laborers Trust Funds

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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

11 BOARD OF TRUSTEES OF THE
 LABORERS HEALTH AND WELFARE
 12 TRUST FUND FOR NORTHERN
 CALIFORNIA; BOARD OF TRUSTEES OF
 13 THE LABORERS VACATION-HOLIDAY
 TRUST FUND FOR NORTHERN
 14 CALIFORNIA; BOARD OF TRUSTEES OF
 THE LABORERS PENSION TRUST FUND
 15 FOR NORTHERN CALIFORNIA; and
 BOARD OF TRUSTEES OF THE
 16 LABORERS TRAINING AND RETRAINING
 TRUST FUND FOR NORTHERN
 17 CALIFORNIA,

Case No.: CV 08 0355 PJH

STIPULATION TO CONTINUE EARLY NEUTRAL EVALUATION; ORDER THEREON

Date: April 28, 2009
 Time: 10:00 a.m.
 Location: ADR; 16th Floor

18 Plaintiffs,

19 vs.

20 KURT ALBIN ERNST

21 Defendants.

22
 23 **STIPULATION**

24 IT IS HEREBY STIPULATED by and between Plaintiffs Laborers Trust Funds and
 25 Defendant Kurt Albin Ernst, through their respective counsel, that the parties are continuing
 26 with informal discovery and discussions regarding an audit conducted by Plaintiffs Trust Funds
 27 and the amount of delinquent contributions, if any, due and owing Plaintiffs Trust Funds.
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This Court has ordered that Early Neutral Evaluation must be completed by May 6, 2009. Currently, the parties are set for ENE on April 28, 2009.

The parties request a short continuance of 30 days in order to attempt to resolve the outstanding issues regarding the audit conducted by Plaintiffs Trust Funds and the trust fund contributions allegedly due and owing Plaintiffs Trust Funds.

DATED: April 20, 2009

BULLIVANT HOUSER BAILEY PC

By _____ /s/
Ronald L. Richman
Susan J. Olson

Attorneys for Plaintiffs Laborers Trust Funds

DATED: April 20, 2009

By _____ /s/
Kenneth D. Robin

Attorneys for Defendant Kurt Albin Ernst

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ORDER

Good cause appearing, it is so ORDERED that the parties shall up to and including June 5, 2009 to complete Early Neutral Evaluation.

April 21
DATED: ~~June~~ ____, 2009

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